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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/031,165

10/04/2002

Sheena M. Loosmore

1038-1217 MIS:jb

4814

7590 01/09/2007  
Sanofi Pasteur Inc.  
Intellectual Property - Knerr Building  
One Discovery Drive  
Swiftwater, PA 18370

EXAMINER

DEVI, SARVAMANGALA J N

ART UNIT

PAPER NUMBER

1645

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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30 DAYS

01/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

UNITED STATES DEPARTMENT OF COMMERCE  
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COMMISSIONER OF PATENTS AND  
TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/031,165	10/04/02	Loosemore et al.	1038-1217 MIS :jb

	EXAMINER	
	S. Devi, Ph.D	
	ART UNIT	PAPER NUMBER
	1645	122006

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application  
Commissioner of Patents

- 1) This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R 1.821(a)(1) and (a)(2). A computer readable form (CRF) of the sequence listing was submitted. However, the CRF could not be processed by the Scientific and Technical Information Center (STIC) for the reason(s) set forth on the attached Raw Sequence Listing Error Report.
- 2) Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the mailing date of this letter within which to comply with the sequence rules, 37 C.F.R 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R 1.136(a). In no case may an applicant extend the period for reply beyond the SIX MONTH statutory period. Direct the reply to the undersigned. Applicant is requested to return a copy of the attached CRF Diskette Problem Report with the reply.
- 3) Any inquiry concerning this communication or earlier communications from the Examiner should be directed to S. Devi, Ph.D., whose telephone number is (571) 272-0854. The Examiner can normally be reached on Monday-Friday from 7:15 a.m. to 4:15 p.m. (Eastern Time).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Jeffrey Siew, can be reached at (571) 272-0787. The FAX phone number for TC 1600 is (571) 273-8300.

December, 2006

*SD* 12/06  
S. DEVI, Ph.D.  
PRIMARY EXAMINER

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☒ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: \_\_\_\_\_

**Applicant Must Provide:**

- ☐ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support (SIRA)

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

## **STIC Biotechnology Systems Branch**

### **RAW SEQUENCE LISTING** **ERROR REPORT**

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/031,165A  
Source: FW16  
Date Processed by STIC: 12/4/06

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE **CHECKER VERSION 4.4.0 PROGRAM**, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/efc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450
3. Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 01/14/05):  
U.S. Patent and Trademark Office, Mail Stop Sequence, Customer Window, Randolph Building, 401 Dulany Street, Alexandria, VA 22314

Revised 01/10/06



IFW16

## RAW SEQUENCE LISTING

DATE: 12/04/2006

PATENT APPLICATION: US/10/031,165A

TIME: 09:37:38

Input Set : A:\Substitute SeqListing.txt

Output Set: N:\CRF4\12042006\J031165A.raw

**Does Not Comply  
Corrected Diskette Needed**

3 <110> APPLICANT: CONNAUGHT LABORATORIES LIMITED  
4 LOOSMORE, Sheena M.  
5 SASAKI, Ken  
6 YANG, Yan-Ping  
7 KLEIN, Michel H.  
9 <120> TITLE OF INVENTION: RECOMBINANT HIGH MOLECULAR WEIGHT MAJOR OUTER MEMBRANE  
10 PROTEIN OF MORAXELLA  
12 <130> FILE REFERENCE: 1038-1063 MIS  
C--> 14 <140> CURRENT APPLICATION NUMBER: US/10/031,165A  
C--> 15 <141> CURRENT FILING DATE: 2002-10-04  
17 <150> PRIOR APPLICATION NUMBER: 09/361,619  
18 <151> PRIOR FILING DATE: 1999-07-27  
E--> 20 <160> NUMBER OF SEQ ID NOS: 48 SI(p.2)  
22 <170> SOFTWARE: PatentIn Ver. 2.1

ERRORED SEQUENCES

10/03/16SA 2

<210> 51 *last sequence in submitted file*  
<211> 5  
<212> PRT  
<213> Moraxella cattarhalis

<400> 51  
Val Val Ala Gly Lys  
1 5

10/03/16SA 3

SEQUENCE LISTING

<110> CONNAUGHT LABORATORIES LIMITED

LOOSMORE, Sheena M.

SASAKI, Ken

YANG, Yan-Ping

KLEIN, Michel H.

<120> RECOMBINANT HIGH MOLECULAR WEIGHT MAJOR OUTER MEMBRANE  
PROTEIN OF MORAXELLA

*replace with* <130> 1038-1063 MIS

<1507 <140> PCT/CA00/00870

<1517 <141> 2000-07-26

*these are prior application data*

VERIFICATION SUMMARY

DATE: 12/04/2006

PATENT APPLICATION: US/10/031,165A

TIME: 09:37:40

Input Set : A:\Substitute SeqListing.txt

Output Set: N:\CRF4\12042006\J031165A.raw

L:14 M:270 C: Current Application Number differs, Replaced Current Application Number

L:15 M:271 C: Current Filing Date differs, Replaced Current Filing Date

L:20 M:203 E: No. of Seq. differs, <160> Number Of Sequences:Input (48) Counted (51)